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July 7, 2016

To: Supervisor Hilda L. Solis, Chair
Supervisor Mark Ridley-Thomas
Supervisor Sheila Kuehl
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: Sachi A. Hamai
Chief Executive Officer

Board of Supervisors
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Third District

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Fifth District

SACRAMENTO UPDATE

Executive Summary

This memorandum contains reports on the following:

- **Change in Pursuit of County Position on Legislation. County-supported AB 1205 (Gomez)**, which would have enacted the California River Revitalization and Greenway Development Act, and create a grant program administered by the State for projects that reduce greenhouse gas emissions, was significantly amended on June 20, 2016. As amended, AB 1205 now relates to hazardous waste facilities permits. Therefore, unless otherwise directed by the Board, **the Sacramento advocates will change the County's position on AB 1205 from support to no position.**
- **Status of County-Advocacy Measures**
 - **County-supported AB 1568 (Bonta)** – related to enactment of the Medi-Cal 2020 Waiver, was signed by the Governor on July 1, 2016.
 - **County-supported AB 1597 (Stone)** – related to time credits for jail inmates, was signed by the Governor on June 27, 2016.

"To Enrich Lives Through Effective And Caring Service"

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- **County-supported AB 1618 (Assembly Budget Committee)** – related to the establishment of the “No Place Like Home” Program, was signed by the Governor on July 1, 2016.
 - **Legislation of County Interest.** A report on two measures of County interest related to the Lanterman-Petris-Short Act and homeless programs.
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Change in Pursuit of County Position

County-supported AB 1205 (Gomez), which as amended on July 16, 2015, would enact the California River Revitalization and Greenway Development Act, and create a grant program administered by the State for projects that reduce greenhouse gas emissions, was significantly amended on June 20, 2016.

As amended, AB 1205 would require the Department of Toxic Substances Control to:
1) within 90 days of receiving a renewal application for a hazardous waste facilities permit, to hold a public meeting in or near the community in which the facility is located;
and 2) review the financial assurances required to operate a hazardous waste facility at least once every 5 years.

The Department of Public Health has reviewed the amendments to AB 1205 and reports that this measure would have no impact on the County's operations or programs. Therefore, unless otherwise directed by the Board, **the Sacramento advocates will change the County's position on AB 1205 from support to no position.**

AB 1205 was referred to the Senate Environmental Quality Committee but it was not heard before the July 1, 2016 Legislative deadline to pass bills out of the policy committee. Therefore, AB 1205 will not proceed this year.

Status of County-Advocacy Legislation

County-supported AB 1568 (Bonta), which as amended on June 2, 2016, enacts provisions of the new five-year Federal Medi-Cal 2020 Waiver related to the Whole Person Care Program, was signed by the Governor on July 1, 2016. This measure is Chapter 42, Statutes of 2016, and it becomes effective immediately.

County-supported AB 1597 (Stone), which as amended on May 17, 2016, allows misdemeanor offenders in county jails, and those held in county jail prior to sentencing, to earn additional time credits based on educational milestones, was signed by the

Governor on June 27, 2016. This measure is Chapter 36, Statutes of 2016, and it becomes effective January 1, 2017.

County-supported AB 1618 (Assembly Budget Committee), which as amended on June 23, 2016, establishes the "No Place Like Home" Program to redirect \$130.0 million in Proposition 63, Mental Health Services Act funds to securitize up to \$2.0 billion in bond funding for the construction of permanent supportive housing for homeless persons with mental illness, was signed by the Governor on July 1, 2016. This measure is Chapter 43, Statutes of 2016, and it becomes effective immediately.

Status of Legislation of County Interest

AB 1300 (Ridley-Thomas), which as amended on June 21, 2016, would authorize emergency physicians and psychiatric professionals, who are not county-designed professionals, to temporarily detain a person who is suspected of having a mental health crisis and who may be a danger to them self or to others.

The Lanterman-Petris-Short (LPS) Act of 1967 establishes provisions which authorize a qualified peace officer or clinician to involuntarily detain a person experiencing a mental health crisis for placement at county-designated facilities approved by the State. During detainment, which is limited to up to 72 hours, the detainee is evaluated and provided a range of mental health treatment services. LPS provides protections to ensure that individuals are not detained inappropriately and to guarantee their constitutional rights.

AB 1300 would broaden the entry point under LPS by extending the authority for temporary detainment to emergency department physicians and psychiatric professionals. The sponsors of AB 1300 indicate that since the passage of LPS, there have been significant changes in the mental health delivery system. Proponents also note that the State has lost almost 30 percent of its inpatient psychiatric beds since 1995, resulting in mental health patients languishing in emergency departments while awaiting a psychiatric assessment, referral, and placement. According to the sponsors, AB 1300 would expedite the ability of emergency department professionals to obtain services for patients with mental illness.

Opponents of AB 1300 argue that this measure would undermine counties' authority to regulate conditions of the LPS Act and to develop and implement systems of mental health care. The National Alliance for the Mentally Ill indicates that AB 1300 would restrict psychiatric care by allowing emergency department physicians who lack specific mental health knowledge or training to place patients on an LPS hold. According to the opponents, AB 1300 would decrease the likelihood that patients receive follow-up care in appropriate outpatient settings or that the rights of patients are protected. The

Each Supervisor
July 7, 2016
Page 4

opponents also note that AB 1300 does not address the real issue faced by hospital emergency departments, the lack of mental health crisis services and the lost more than 3,000 psychiatric beds statewide.

AB 1300 is sponsored by the: California Hospital Association; the California Psychiatric Association; California Chapter of the American College of Emergency Physicians; and San Gabriel Valley Medical Center. This measure is supported by the: Association of California Healthcare Districts; Dignity Health; and others. AB 1300 is opposed by the: National Alliance for the Mentally Ill (NAMI) California; County Behavioral Health Directors Association of California; San Joaquin County; Santa Clara County Board of Supervisors, and numerous others local NAMI groups.

AB 1300 passed the Senate Health Committee by a vote of 7 to 0 on June 29, 2016. The measure was referred to the Senate Rules Committee pending amendments recommended by the committee to ensure that patients needing mental health services receive treatment.

AB 1622 (Assembly Budget Committee), which as amended on June 23, 2016, amends the FY 2016-17 State Budget Act to provide the following additional resources: 1) a carve-out of \$10.0 million from Proposition 41, the Veteran Housing and Homeless Prevention Bond Act of 2012 to provide loans to nonprofit agencies and counties for the construction or rehabilitation of transitional housing or shelter facilities for veterans; 2) \$10.0 million to expand Homeless Youth and Exploitation Program Pilot Projects to Orange, Fresno, San Bernardino and El Dorado Counties; and 3) \$500,000 for State oversight of funds allocated to counties under Proposition 63, the Mental Health Services Act. AB 1622 was signed by the Governor on July 1, 2016. This measure is Chapter 44, Statutes of 2016, and it becomes effective immediately.

We will continue to keep you advised.

SAH:JJ:MR
VE:IGEA:lm

c: All Department Heads
Legislative Strategist
Local 721
Coalition of County Unions
California Contract Cities Association
Independent Cities Association
League of California Cities
City Managers Associations
Buddy Program Participant